

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
EVANSVILLE DIVISION**

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	3:12-cr-00031-RLY-CMM-1
vs.)	
)	
ANTONIO CURRIE,)	
Defendant)	

REPORT AND RECOMMENDATION

On March 30, 2022, the Court held final hearing on the Petition for Warrant/Violation for Offender Under Supervision filed on March 2, 2022. An initial hearing was held on March 8, 2022. Antonio Currie, (“Defendant”) appeared with FCD counsel, Joseph Cleary. The Government appeared by Lauren Wheatley, Assistant United States Attorney. U. S. Probation appeared by Officer Troy Adamson. All parties appeared via video conference. Prior to proceeding with the hearing, Defendant advised the Court that he consented to an online hearing in lieu of personal attendance.

The parties advised the Court at the outset of the hearing that a proposed agreement was reached by which the defendant would admit Violation #1 in the Petition Docket No. [56].

The Court conducted the following procedures in accordance with Fed. R. Crim. P. 32.1(a)(1) and 18 U.S.C. §3583:

1. The Court advised the Defendant of his rights. The Defendant advised that he had received and reviewed the petitions and had the opportunity to confer with

counsel in advance of the hearing. Defendant waived his right to a preliminary hearing and the Court found probable cause to proceed on the Petitions.

2. The defendant was advised that this matter had been referred by the District Judge and that the District Judge has final authority whether to accept, reject, or modify the recommendation.

3. After being placed under oath, Defendant advised that he consented to the proposed agreement, had sufficient opportunity to consult with counsel, and was satisfied with his representation. Defendant admitted Violation No. 1 of petition [56].

3. The allegations to which Defendant admitted, as fully set forth in the petition, are:

VIOLATION
NUMBER NATURE OF NONCOMPLIANCE

1. "The defendant shall not commit another federal, state or local crime"

On March 1, 2022, the probation officer conducted a home visit with the offender at his residence. Mr. Currie was alone in the home, and the probation officer observed a black handgun laying on the corner of a bed in plain view. The probation officer called Indianapolis Metropolitan Police Department (IMPD) for assistance. Based on the circumstances of the scene, IMPD obtained a search warrant for the residence. In Mr. Currie's room officers found a backpack full of Mason jars and packages, each full of marijuana. Additionally, two duffel bags full of large vacuum sealed packages of marijuana were located. In total, 33 individual packages of marijuana were seized. In his residence, officers also found two 9mm handguns, digital scales with drug residue, a vacuum sealer, several pipes used for ingesting marijuana, drug grinders, and \$2,430 in cash. Mr. Currie admitted all the marijuana and other drug related items were his, and he was formerly arrested by IMPD. He is currently in Marion County Jail and charged with dealing in marijuana, a felony, and possession of marijuana and possession of drug paraphernalia, both misdemeanors.

4. The parties stipulated that:

- (a) The highest grade of violation is a Grade **A** violation.
- (b) Defendant's criminal history category is **VI**.
- (c) The range of imprisonment applicable upon revocation of supervised release, therefore, is **24** months imprisonment.

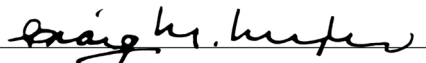
5. The Magistrate Judge, having considered the factors in 18 U.S.C. §3553(a), and as more fully set forth on the record, finds that:

- (a) The Defendant violated the supervised release condition as alleged in Violation #1;
- (b) Consistent with the parties' agreement, the Magistrate Judge recommends defendant serve 24 months with placement in the Terre Haute Prison Complex without extension of any further federal supervised release;
- (c) That the agreement of the parties is an appropriate resolution of this matter and the agreement is commended to the favorable consideration of the District Judge with the Magistrate Judge's recommendation for sentencing;

Defendant shall remain in custody pending the District Judge's action on this Report and Recommendation.

The parties are hereby notified that the District Judge may reconsider any matter assigned to a Magistrate Judge. The parties have waived the 14-day period within which to file objections for the consideration of the District Judge.

Dated: March 30, 2022


CRAIG M. McKEE, Magistrate Judge
United States District Court
Southern District of Indiana

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